

IN THE UNITED STATES DISTRICT COURT  
FOR EASTERN DISTRICT OF PENNSYLVANIA

CAREY ABNEY : CIVIL ACTION  
V. : NO. 2:20-cv-4680-CDJ  
CORRECT CARE SOLUTION, ET AL. :

RESPONSE/OBJECTIONS OF DEFENDANT, CORRECT CARE SOLUTIONS, LLC, TO  
PLAINTIFF, CAREY ABNEY'S, REQUEST FOR DEFAULT (DOC 36)

Defendant, Correct Care Solutions, LLC ("CCS"), respectfully request that this Court dismiss Plaintiff, Carey Abney's ("Abney"), Request for Default (Doc. 36). This was filed on October 1, 2021 without leave of Court. Abney filed a Motion for Default on August 16, 2021 (Doc. 27) which was responded to on August 18, 2021 (Doc. 28).

There is a pending Motion to Dismiss filed on August 4, 2021 by CCS (Doc.23). The Court ordered that Abney file a response by August 18, 2021 (Doc. 24) and then extended it to August 27, 2021 (Doc. 26). Abney did not respond so the Court on its own extended the deadline to September 8, 2021 ( Doc. 29), then September 27, 2021 and finally to October 8, 2021 ( Doc. 34).

There is no basis for any Default as extensively discussed in CCS' response to Abney's Motion for Default. CCS responded to the Amended Complaint by filing a Motion to Dismiss, which is an acceptable and appropriate response.

WHEREFORE, Defendant, Correct Care Solutions, LLC, respectfully requests that Plaintiff, Carey Abney's, Request for Default be dismissed as moot, since a responsive pleading was filed prior to the Motion ad is pending.

GOLD & FERRANTE, PC

BY: /s/ ALEXANDER R. FERRANTE  
ALEXANDER R. FERRANTE  
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CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and correct copy of Defendant, Correct Care Solution's Response to the Request for Default to the Plaintiff, via US First Class Regular Mail and ECF Filing (where noted below) on this date to the following individuals:

Smart Communications/PA DOC  
Carey Abney, BB-8288  
SCI-Phoenix  
PO Box 33028  
St. Petersburg, Florida 33733  
US First Class Regular Mail

KEVIN R. BRADFORD  
[kbradford@attorneygeneral.gov](mailto:kbradford@attorneygeneral.gov)  
ECF Filing

/s/ ALEXANDER R. FERRANTE  
ALEXANDER R. FERRANTE

DATE: October 4, 2021

